

# Bereskin & Parr

INTELLECTUAL PROPERTY LAW

Manulife Corporate Park, 6733 Mississauga Road, Suite 600, Mississauga, Ontario L5N 6J5

Tel: 905.812.3600 Fax: 905.814.0031 [www.bereskinparr.com](http://www.bereskinparr.com)

TORONTO MISSISSAUGA WATERLOO MONTREAL

## FAX TRANSMITTAL

TO: Peter T. deVore  
FIRM: United States Patent and Trademark Office  
FROM: Stephen M. Beney  
FILE #: 13118-002  
LAWYER #: 196

DATE: May 27, 2005 FAX #: (703) 872-9306

PAGES: 6 (including cover sheet)

COMMENTS:

MAY 31 2005  
OJPE/JCW/S

RECEIVED

If transmission is interrupted or of poor quality, please notify us immediately by calling Pamela Drover at (905) 812-3600.

### CONFIDENTIAL

This communication may contain information that is privileged or confidential and is intended only for the use of the individual to whom it is addressed. Any other distribution, copying or disclosure is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us by mail. Thank you.

MAY 27 2005

002

PTO/SB/87 (09-04)

Approved for use through 07/31/2006, OMB 0851-0031  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**Certificate of Transmission under 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile  
transmitted to the United States Patent and Trademark Office

on May 27, 2005.

Date

  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Stephen M. Beney

\_\_\_\_\_  
Typed or printed name of person signing Certificate

41,563

\_\_\_\_\_  
Registration Number if applicable

(416) 957-1697

\_\_\_\_\_  
Telephone Number

**Note:** Each paper must have its own certificate of transmission, or this  
certificate must identify each submitted paper.

Transmittal Form - 1 Sheet

Response - 2 Sheets

Extension of Time - 1 Sheet

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

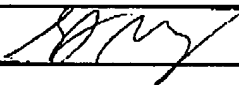
*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*

Approved for use through 07/31/2008. OMB 0851-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)		Application Number	10/731,108
		Filing Date	December 10, 2003
		First Named Inventor	Kay Balasubramanian
		Art Unit	3851
		Examiner Name	Peter T. Devore
Total Number of Pages in This Submission	4	Attorney Docket Number	13118-002

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
<b>Remarks</b>  		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Bereskin & Parr		
Signature			
Printed Name	Stephen M. Beney		
Date	May 27, 2005	Reg. No.	41,563

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9189 and select option 2.

RECEIVED  
CENTRAL FAX CENTER

MAY 27 2005

# Bereskin & Parr

INTELLECTUAL PROPERTY LAW

Appl. No : 10/731,106 Confirmation No.: 4510  
Applicant : Kay Balasubramanian  
Filed : December 10, 2003  
Title : DIAPHRAGM VALVE HAVING ADJUSTABLE CLOSURE MEANS  
TC./A.U. : 3751  
Examiner : Peter T. Devore

Docket No. : 13118-2  
Customer No. : 001059

Honorable Commissioner for Patents  
P. O. Box 1450  
Alexandria, Virginia 22313-1450

## AMENDMENT

Sir:

In response to the office action of March 28, 2005, please amend the above-identified application as follows:

Remarks/Arguments begin on page 2 of this paper.

Manulife Corporate Park, 6733 Mississauga Road, Suite 600, Mississauga, Ontario L5N 6J5  
Tel: 905.812.3600 Fax: 905.814.0031 [www.bereskinparr.com](http://www.bereskinparr.com)

TORONTO MISSISSAUGA WATERLOO MONTREAL